

# ENROLLMENT(S)



(5)

**COUNCIL OF THE DISTRICT OF COLUMBIA**

**NOTICE**

**D.C. LAW 11-275**

**"Second Criminal Code Technical Amendments Act of 1996".**

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198 "the Act", the Council of the District of Columbia adopted Bill No. 11-909, on first and second readings, November 7, 1996 and December 3, 1996, respectively. Following the signature of the Mayor on December 24, 1996, pursuant to Section 404(e) of "the Act", and was assigned Act No. 11-520 and published in the March 14, 1997, edition of the D.C. Register (Vol. 44 page 1408) and transmitted to Congress on January 30, 1997 for a 60-day review, in accordance with Section 602(c)(2) of the Act.

The Council of the District of Columbia hereby gives notice that the 60-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 11-275, effective June 3, 1997.



LINDA W. CROPP  
Acting Chairman of the Council

Dates Counted During the 60-day Congressional Review Period:

Feb.	3,4,5,6,7,10,11,12,13,24,25,26,27,28
Mar.	3,4,5,6,10,11,12,13,14,17,18,19,20,21
Apr.	7,8,9,10,14,15,16,17,21,22,23,24,25,28,29,30
May	1,5,6,7,8,9,12,13,14,15,16,19,20,21,22
June	2

AN ACT

D.C. ACT 11-520

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 24, 1996

*Codification  
District of  
Columbia  
Code  
1997 Supp.*

To amend An Act To establish a code of law for the District of Columbia to correct a punctuation error and to delete extraneous language; to amend the District of Columbia Law Enforcement Act of 1953 to correct a grammatical error; to amend An Act To establish a code of law for the District of Columbia to correct typographical errors; to amend An Act In relation to pandering, to define and prohibit the same and to provide for the punishment thereof to make a stylistic correction; to amend the Anti-Intimidation and Defacing of Public or Private Property Criminal Penalty Act of 1982 to correct a grammatical error; to amend An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes to make stylistic corrections; to amend An Act To define and punish vagrancy in the District of Columbia, and for other purposes to make a stylistic correction and correct a section reference; to amend An Act To provide for the treatment of sexual psychopaths in the District of Columbia, and for other purposes to correct a section reference; to amend the District of Columbia Law Enforcement Act of 1953 to make a stylistic correction; to amend the District of Columbia Theft and White Collar Crimes Act of 1982 to make stylistic corrections, correct punctuation errors, and add clarifying language; to amend the Anti-Sexual Abuse Act of 1994 to make stylistic corrections and delete extraneous language; to amend Title 23 of the District of Columbia Code to make grammatical, stylistic, and clarifying corrections; to amend the District of Columbia Law Enforcement Act of 1953 to correct a grammatical error; to amend the Medical and Geriatric Parole Act of 1992 to correct a grammatical error; to amend the Resocialization Furlough Act of 1976 to correct a punctuation error and paragraph and subsection designations; to amend An Act To establish a program for the rehabilitation of alcoholics, promote temperance, and provide for the medical and scientific treatment of persons found to be alcoholics by the courts of the District of Columbia, and for other purposes to correct a grammatical error;

**ENROLLED ORIGINAL**

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Second Criminal Code Technical Amendments Act of 1996".

Sec. 2. Section 907a(b)(1) of An Act To establish a code of law for the District of Columbia, approved July 29, 1970 (84 Stat. 599; D.C. Code § 22-104a(b)(1)), is amended by striking the phrase "territories." and adding the phrase "territories; and" in its place. **Section 22-104a**

Sec. 3. Section 806(b) of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1322; D.C. Code § 22-504(b)), is amended by striking the phrase "(b) Stalking - Any" and adding the phrase "(b) Any" in its place. **Section 22-504**

Sec. 4. Section 205(a) of the District of Columbia Law Enforcement Act of 1953, approved June 29, 1953 (67 Stat. 95; D.C. Code § 22-505(a)), is amended by striking the phrase "campus and" and adding the phrase "campus or" in its place. **Section 22-505**

Sec. 5. Section 801a(b) of An Act To establish a code of law for the District of Columbia, effective September 26, 1992 (D.C. Law 9-153; D.C. Code § 22-2404.1(b)), is amended as follows: **Section 22-2404.1**

(a) Paragraph (1) is amended by striking the word "kidnaping" and adding the word "kidnapping" in its place.

(b) Paragraph (11) is amended by adding the word "or" at the end.

Sec. 6. Sections 4 and 5 of An Act In relation to pandering, to define and prohibit the same and to provide for the punishment thereof, approved June 25, 1910 (36 Stat. 833; D.C. Code §§ 22-2708 and 22-2709), are amended by striking the phrase "less than 1" and adding the phrase "less than 1 year" in its place. **Sections 22-2708, 22-2709**

Sec. 7. Section 2(1) of the Anti-Intimidation and Defacing of Public or Private Property Criminal Penalty Act of 1982, effective March 10, 1983 (D.C. Law 4-203; D.C. Code § 22-3112.1(1)), is amended by striking the word "and" at the end and adding the word "or" in its place. **Section 22-3112.1**

Sec. 8. Section 1 of An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Code § 22-3201), is amended as follows: **Section 22-3201**

(a) Subsection (h) is amended by adding the phrase ", as used in this act," after the word "Playground".

(b) Subsection (i) is amended by adding the phrase ", as used in this act," after the word

**ENROLLED ORIGINAL**

"arcade".

(c) Subsection (j) is amended by adding the phrase ", as used in this act," after the word "center".

Sec. 9. An Act To define and punish vagrancy in the District of Columbia, and for other purposes, approved December 17, 1941 (55 Stat. 808; D.C. Code § 22-3302 *et seq.*), is amended as follows:

(a) Section 1(8) (D.C. Code § 22-3302(8)) is amended by striking the phrase "And all" and adding the word "All" in its place. **Section 22-3302**

(b) Section 6 (D.C. Code § 22-3306) is amended by striking the figure "6" and adding the figure "4" in its place. **Section 22-3306**

Sec. 10. Section 209 of An Act To provide for the treatment of sexual psychopaths in the District of Columbia, and for other purposes, approved June 9, 1948 (62 Stat. 350; D.C. Code § 22-3511), is amended by striking the figure "209" and adding the figure "208" in its place. **Section 22-3511**

Sec. 11. Section 209(a) of the District of Columbia Law Enforcement Act of 1953, approved June 29, 1953 (67 Stat. 97; D.C. Code § 22-3601), is amended by adding the word "year" after the phrase "not less than 1". **Section 22-3601**

Sec. 12. The District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Code § 22-3801 *et seq.*), is amended as follows:

(a) Section 103 (D.C. Code § 22-3803) is amended as follows: **Section 22-3803**

(1) The lead-in language is amended by striking the word "both" and adding the phrase "the same act or course of conduct for the following" in its place.

(2) Paragraph (3) is amended by striking the semicolon at the end and adding a period in its place and by striking the phrase "for the same act or course of conduct." at the end.

(b) Section 112 (D.C. Code § 22-3812) is amended as follows: **Section 22-3812**

(1) Subsection (a) is amended by striking the word "*1st*" and adding the word "*first*" in its place and by adding the phrase "in the first degree" after the word "theft".

(2) Subsection (b) is amended by striking the word "*2nd*" and adding the word "*second*" in its place and by adding the phrase "in the second degree" after the word "theft".

Sec. 13. The Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Code § 22-4101 *et seq.*), is amended as follows:

(a) Section 201 (D.C. Code § 22-4102) is amended as follows: **Section 22-4102**

(1) The lead-in language is amended to read as follows: "A person shall be imprisoned for any term of years or for life, and in addition, may be fined in an amount not to

**ENROLLED ORIGINAL**

exceed \$250,000, if that person engages in or causes another person to engage in or submit to a sexual act in the following manner:".

(2) Paragraph (4) is amended to read as follows:

"(4) After administering to that other person by force or threat of force, or without the knowledge or permission of that other person, a drug, intoxicant, or other similar substance that substantially impairs the ability of that other person to appraise or control his or her conduct."

(b) Section 202 (D.C. Code § 22-4103) is amended as follows:

**Section  
22-4103**

(1) The lead-in language is amended to read as follows: "A person shall be imprisoned for not more than 20 years and may be fined in an amount not to exceed \$200,000, if that person engages in or causes another person to engage in or submit to a sexual act in the following manner:".

(2) Paragraph (2) is amended as follows:

(A) By striking the word "actor" and adding the word "person" in its place; and

(B) Subparagraph (C) is amended to read as follows:

"(C) Incapable of communicating unwillingness to engage in that sexual act."

(c) Section 203 (D.C. Code § 22-4104) is amended as follows:

**Section  
22-4104**

(1) The lead-in language is amended to read as follows: "A person shall be imprisoned for not more than 10 years and may be fined in an amount not to exceed \$100,000, if that person engages in or causes sexual contact with or by another person in the following manner:".

(2) Paragraph (4) is amended to read as follows:

"(4) After administering to that person by force or threat of force, or without the knowledge or permission of that other person, a drug, intoxicant, or similar substance that substantially impairs the ability of that other person to appraise or control his or her conduct."

(d) Section 204 (D.C. Code § 22-4105) is amended as follows:

**Section  
22-4105**

(1) The lead-in language is amended to read as follows: "A person shall be imprisoned for not more than 5 years and, in addition, may be fined in an amount not to exceed \$50,000, if that person engages in or causes sexual contact with or by another person in the following manner:".

(2) Paragraph (2) is amended as follows:

(A) By striking the word "actor" and adding the word "person" in its place and by adding the word "other" before the phrase "person is"; and

(B) Paragraph (C) is amended to read as follows:

"(C) Incapable of communicating unwillingness to engage in that sexual contact."

**ENROLLED ORIGINAL**

- Sec. 14. Title 23 of the District of Columbia Code is amended as follows: Section 23-109
- (a) Section 23-109 is amended by striking the word "attorney" and adding the word "Attorney" in its place.
  - (b) Section 23-523(a) is amended by striking the phrase "23-521(f)(7)" and adding the phrase "23-521(f)(6)" in its place. Section 23-523
  - (c) Section 23-541 is amended as follows: Section 23-541
    - (1) Paragraph (7) is amended by striking the word "and" and adding the word "or" in its place.
    - (2) Paragraph (8)(A) is amended by striking the word "and" and adding the word "or" in its place.
  - (d) Section 23-555(a) is amended by striking the phrase "(Court)" and adding the word "Court" in its place. Section 23-555
  - (e) Section 23-704(e) is amended by adding the phrase "of this section" after the phrase "subsection (d)". Section 23-704
  - (f) Section 23-1322(f)(2)(C) is amended by striking the phrase "section 502 of the District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Code § 22-722)," and adding " § 22-722," in its place. Section 23-1322
- Sec. 15. Section 405(3) of the District of Columbia Law Enforcement Act of 1953, approved June 29, 1953 (67 Stat. 105; D.C. Code § 24-106(3)), is amended by adding the word "and" at the end. Section 24-106
- Sec. 16. Section 2(2) of the Medical and Geriatric Parole Act of 1992, effective May 15, 1993 (D.C. Law 9-271; D.C. Code § 24-261(2)), is amended by adding the word "and" at the end. Section 24-261
- Sec. 17. Section 4 of the Resocialization Furlough Act of 1976, effective April 23, 1977 (D.C. Law 1-130; D.C. Code § 24-483), is amended as follows: Section 24-483
- (a) Subsection (a) is amended as follows:
    - (1) By striking the phrase "subsection (b)" and adding the phrase "subsection (c)" in its place;
    - (2) Paragraph (3) is amended by striking the semicolon and adding a period in its place; and
    - (3) Paragraph (4) is amended by redesignating it as subsection (b) and by striking the phrase "of this subsection" and adding the phrase "of subsection (a)" in its place.
  - (b) Subsection (b) is redesignated as subsection (c).
  - (c) Subsection (c) is redesignated as subsection (d).
  - (d) Subsection (d) is redesignated as subsection (e).

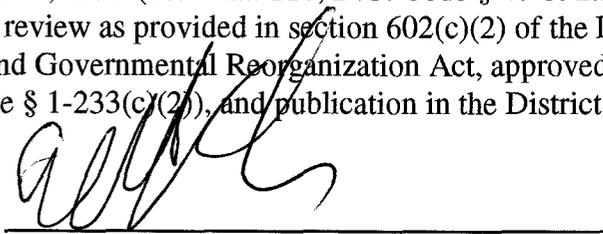
**ENROLLED ORIGINAL**

Section  
24-523

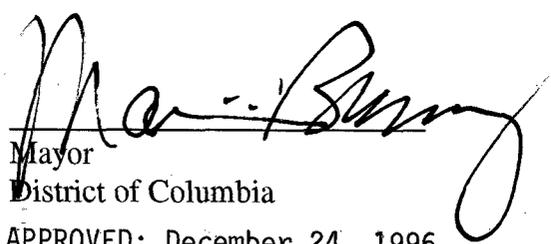
Sec. 18. Section 3(a)(2) of An Act To establish a program for the rehabilitation of alcoholics, promote temperance, and provide for the medical and scientific treatment of persons found to be alcoholics by the courts of the District of Columbia, and for other purposes, approved August 4, 1947 (61 Stat. 744; D.C. Code § 24-523(a)(2)), is amended by adding the word "and" at the end.

Sec. 19. The act makes technical amendments to existing legislation and therefore has no fiscal impact.

Sec. 20. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), a 60-day period of Congressional review as provided in section 602(c)(2) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(2)), and publication in the District of Columbia Register.



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia

APPROVED: December 24, 1996



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD ELEVEN

RECORD OF OFFICIAL COUNCIL VOTE

B11-909

Docket No. \_\_\_\_\_

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FIRST READING, 11-7-96

VOICE VOTE  
RECORDED VOTE ON REQUEST

APPROVED

THOMAS

ABSENT \_\_\_\_\_

ROLL CALL VOTE - Result \_\_\_\_\_

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

*[Signature]*  
Secretary to the Council

*[Signature]* December 13, 1996  
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FINAL READING, 12-3-96

VOICE VOTE  
RECORDED VOTE ON REQUEST

APPROVED

RAY

ABSENT \_\_\_\_\_

ROLL CALL VOTE - Result \_\_\_\_\_

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X-indicates no

AB-Absent

NV-Present not voting

CERTIFICATION RECORD

*[Signature]*  
Secretary to the Council

*[Signature]* December 13, 1996  
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

VOICE VOTE  
RECORDED VOTE ON REQUEST

ABSENT \_\_\_\_\_

ROLL CALL VOTE - Result \_\_\_\_\_

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date

AN ACT

---

*Codification  
District of  
Columbia  
Code  
1997 Supp.*

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

---

To amend An Act To establish a code of law for the District of Columbia to correct a punctuation error and to delete extraneous language; to amend the District of Columbia Law Enforcement Act of 1953 to correct a grammatical error; to amend An Act To establish a code of law for the District of Columbia to correct typographical errors; to amend An Act In relation to pandering, to define and prohibit the same and to provide for the punishment thereof to make a stylistic correction; to amend the Anti-Intimidation and Defacing of Public or Private Property Criminal Penalty Act of 1982 to correct a grammatical error; to amend An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes to make stylistic corrections; to amend An Act To define and punish vagrancy in the District of Columbia, and for other purposes to make a stylistic correction and correct a section reference; to amend An Act To provide for the treatment of sexual psychopaths in the District of Columbia, and for other purposes to correct a section reference; to amend the District of Columbia Law Enforcement Act of 1953 to make a stylistic correction; to amend the District of Columbia Theft and White Collar Crimes Act of 1982 to make stylistic corrections, correct punctuation errors, and add clarifying language; to amend the Anti-Sexual Abuse Act of 1994 to make stylistic corrections and delete extraneous language; to amend Title 23 of the District of Columbia Code to make grammatical, stylistic, and clarifying corrections; to amend the District of Columbia Law Enforcement Act of 1953 to correct a grammatical error; to amend the Medical and Geriatric Parole Act of 1992 to correct a grammatical error; to amend the Resocialization Furlough Act of 1976 to correct a punctuation error and paragraph and subsection designations; to amend An Act To establish a program for the rehabilitation of alcoholics, promote temperance, and provide for the medical and scientific treatment of persons found to be alcoholics by the courts of the District of Columbia, and for other purposes to correct a grammatical error;

**ENROLLED ORIGINAL**

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Second Criminal Code Technical Amendments Act of 1996".

Sec. 2. Section 907a(b)(1) of An Act To establish a code of law for the District of Columbia, approved July 29, 1970 (84 Stat. 599; D.C. Code § 22-104a(b)(1)), is amended by striking the phrase "territories." and adding the phrase "territories; and" in its place. **Section 22-104a**

Sec. 3. Section 806(b) of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1322; D.C. Code § 22-504(b)), is amended by striking the phrase "(b) Stalking - Any" and adding the phrase "(b) Any" in its place. **Section 22-504**

Sec. 4. Section 205(a) of the District of Columbia Law Enforcement Act of 1953, approved June 29, 1953 (67 Stat. 95; D.C. Code § 22-505(a)), is amended by striking the phrase "campus and" and adding the phrase "campus or" in its place. **Section 22-505**

Sec. 5. Section 801a(b) of An Act To establish a code of law for the District of Columbia, effective September 26, 1992 (D.C. Law 9-153; D.C. Code § 22-2404.1(b)), is amended as follows: **Section 22-2404.1**

(a) Paragraph (1) is amended by striking the word "kidnaping" and adding the word "kidnapping" in its place.

(b) Paragraph (11) is amended by adding the word "or" at the end.

Sec. 6. Sections 4 and 5 of An Act In relation to pandering, to define and prohibit the same and to provide for the punishment thereof, approved June 25, 1910 (36 Stat. 833; D.C. Code §§ 22-2708 and 22-2709), are amended by striking the phrase "less than 1" and adding the phrase "less than 1 year" in its place. **Sections 22-2708, 22-2709**

Sec. 7. Section 2(1) of the Anti-Intimidation and Defacing of Public or Private Property Criminal Penalty Act of 1982, effective March 10, 1983 (D.C. Law 4-203; D.C. Code § 22-3112.1(1)), is amended by striking the word "and" at the end and adding the word "or" in its place. **Section 22-3112.1**

Sec. 8. Section 1 of An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Code § 22-3201), is amended as follows: **Section 22-3201**

(a) Subsection (h) is amended by adding the phrase ", as used in this act," after the word "Playground".

(b) Subsection (i) is amended by adding the phrase ", as used in this act," after the word

ENROLLED ORIGINAL

"arcade".

(c) Subsection (j) is amended by adding the phrase ", as used in this act," after the word "center".

Sec. 9. An Act To define and punish vagrancy in the District of Columbia, and for other purposes, approved December 17, 1941 (55 Stat. 808; D.C. Code § 22-3302 *et seq.*), is amended as follows:

(a) Section 1(8) (D.C. Code § 22-3302(8)) is amended by striking the phrase "And all" and adding the word "All" in its place.

Section  
22-3302

(b) Section 6 (D.C. Code § 22-3306) is amended by striking the figure "6" and adding the figure "4" in its place.

Section  
22-3306

Sec. 10. Section 209 of An Act To provide for the treatment of sexual psychopaths in the District of Columbia, and for other purposes, approved June 9, 1948 (62 Stat. 350; D.C. Code § 22-3511), is amended by striking the figure "209" and adding the figure "208" in its place.

Section  
22-3511

Sec. 11. Section 209(a) of the District of Columbia Law Enforcement Act of 1953, approved June 29, 1953 (67 Stat. 97; D.C. Code § 22-3601), is amended by adding the word "year" after the phrase "not less than 1".

Section  
22-3601

Sec. 12. The District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Code § 22-3801 *et seq.*), is amended as follows:

(a) Section 103 (D.C. Code § 22-3803) is amended as follows:

Section  
22-3803

(1) The lead-in language is amended by striking the word "both" and adding the phrase "the same act or course of conduct for the following" in its place.

(2) Paragraph (3) is amended by striking the semicolon at the end and adding a period in its place and by striking the phrase "for the same act or course of conduct." at the end.

(b) Section 112 (D.C. Code § 22-3812) is amended as follows:

Section  
22-3812

(1) Subsection (a) is amended by striking the word "1st" and adding the word "first" in its place and by adding the phrase "in the first degree" after the word "theft".

(2) Subsection (b) is amended by striking the word "2nd" and adding the word "second" in its place and by adding the phrase "in the second degree" after the word "theft".

Sec. 13. The Anti-Sexual Abuse Act of 1994, effective May 23, 1995 (D.C. Law 10-257; D.C. Code § 22-4101 *et seq.*), is amended as follows:

(a) Section 201 (D.C. Code § 22-4102) is amended as follows:

Section  
22-4102

(1) The lead-in language is amended to read as follows: "A person shall be imprisoned for any term of years or for life, and in addition, may be fined in an amount not to

**ENROLLED ORIGINAL**

exceed \$250,000, if that person engages in or causes another person to engage in or submit to a sexual act in the following manner:".

(2) Paragraph (4) is amended to read as follows:

"(4) After administering to that other person by force or threat of force, or without the knowledge or permission of that other person, a drug, intoxicant, or other similar substance that substantially impairs the ability of that other person to appraise or control his or her conduct.".

(b) Section 202 (D.C. Code § 22-4103) is amended as follows:

**Section  
22-4103**

(1) The lead-in language is amended to read as follows: "A person shall be imprisoned for not more than 20 years and may be fined in an amount not to exceed \$200,000, if that person engages in or causes another person to engage in or submit to a sexual act in the following manner:".

(2) Paragraph (2) is amended as follows:

(A) By striking the word "actor" and adding the word "person" in its place; and

(B) Subparagraph (C) is amended to read as follows:

"(C) Incapable of communicating unwillingness to engage in that sexual act.".

(c) Section 203 (D.C. Code § 22-4104) is amended as follows:

**Section  
22-4104**

(1) The lead-in language is amended to read as follows: "A person shall be imprisoned for not more than 10 years and may be fined in an amount not to exceed \$100,000, if that person engages in or causes sexual contact with or by another person in the following manner:".

(2) Paragraph (4) is amended to read as follows:

"(4) After administering to that person by force or threat of force, or without the knowledge or permission of that other person, a drug, intoxicant, or similar substance that substantially impairs the ability of that other person to appraise or control his or her conduct.".

(d) Section 204 (D.C. Code § 22-4105) is amended as follows:

**Section  
22-4105**

(1) The lead-in language is amended to read as follows: "A person shall be imprisoned for not more than 5 years and, in addition, may be fined in an amount not to exceed \$50,000, if that person engages in or causes sexual contact with or by another person in the following manner:".

(2) Paragraph (2) is amended as follows:

(A) By striking the word "actor" and adding the word "person" in its place and by adding the word "other" before the phrase "person is"; and

(B) Paragraph (C) is amended to read as follows:

"(C) Incapable of communicating unwillingness to engage in that sexual contact.".

**ENROLLED ORIGINAL**

- Sec. 14. Title 23 of the District of Columbia Code is amended as follows: Section  
23-109
- (a) Section 23-109 is amended by striking the word "attorney" and adding the word "Attorney" in its place.
- (b) Section 23-523(a) is amended by striking the phrase "23-521(f)(7)" and adding the phrase "23-521(f)(6)" in its place. Section  
23-523
- (c) Section 23-541 is amended as follows: Section  
23-541
- (1) Paragraph (7) is amended by striking the word "and" and adding the word "or" in its place.
- (2) Paragraph (8)(A) is amended by striking the word "and" and adding the word "or" in its place.
- (d) Section 23-555(a) is amended by striking the phrase "(Court)" and adding the word "Court" in its place. Section  
23-555
- (e) Section 23-704(e) is amended by adding the phrase "of this section" after the phrase "subsection (d)". Section  
23-704
- (f) Section 23-1322(f)(2)(C) is amended by striking the phrase "section 502 of the District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Code § 22-722)," and adding " § 22-722," in its place. Section  
23-1322
- Sec. 15. Section 405(3) of the District of Columbia Law Enforcement Act of 1953, approved June 29, 1953 (67 Stat. 105; D.C. Code § 24-106(3)), is amended by adding the word "and" at the end. Section  
24-106
- Sec. 16. Section 2(2) of the Medical and Geriatric Parole Act of 1992, effective May 15, 1993 (D.C. Law 9-271; D.C. Code § 24-261(2)), is amended by adding the word "and" at the end. Section  
24-261
- Sec. 17. Section 4 of the Resocialization Furlough Act of 1976, effective April 23, 1977 (D.C. Law 1-130; D.C. Code § 24-483), is amended as follows: Section  
24-483
- (a) Subsection (a) is amended as follows:
- (1) By striking the phrase "subsection (b)" and adding the phrase "subsection (c)" in its place;
- (2) Paragraph (3) is amended by striking the semicolon and adding a period in its place; and
- (3) Paragraph (4) is amended by redesignating it as subsection (b) and by striking the phrase "of this subsection" and adding the phrase "of subsection (a)" in its place.
- (b) Subsection (b) is redesignated as subsection (c).
- (c) Subsection (c) is redesignated as subsection (d).
- (d) Subsection (d) is redesignated as subsection (e).

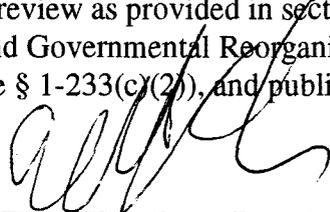
**ENROLLED ORIGINAL**

**Section  
24-523**

Sec. 18. Section 3(a)(2) of An Act To establish a program for the rehabilitation of alcoholics, promote temperance, and provide for the medical and scientific treatment of persons found to be alcoholics by the courts of the District of Columbia, and for other purposes, approved August 4, 1947 (61 Stat. 744; D.C. Code § 24-523(a)(2)), is amended by adding the word "and" at the end.

Sec. 19. The act makes technical amendments to existing legislation and therefore has no fiscal impact.

Sec. 20. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), a 60-day period of Congressional review as provided in section 602(c)(2) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(2)), and publication in the District of Columbia Register.



\_\_\_\_\_  
Chairman  
Council of the District of Columbia

\_\_\_\_\_  
Mayor  
District of Columbia



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD ELEVEN

RECORD OF OFFICIAL COUNCIL VOTE

B11-909

Docket No. \_\_\_\_\_

ITEM ON CONSENT CALENDAR

ADOPTED FIRST READING, 11-7-96

ACTION & DATE

VOICE VOTE  
RECORDED VOTE ON REQUEST

APPROVED

THOMAS

ABSENT \_\_\_\_\_

ROLL CALL VOTE - Result \_\_\_\_\_

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

*[Signature]*  
Secretary to the Council

*[Signature]* 13, 1996  
Date

ITEM ON CONSENT CALENDAR

ADOPTED FINAL READING, 12-3-96

ACTION & DATE

VOICE VOTE  
RECORDED VOTE ON REQUEST

APPROVED

RAY

ABSENT \_\_\_\_\_

ROLL CALL VOTE - Result \_\_\_\_\_

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X-indicates no

AB-Absent

NV-Present not voting

CERTIFICATION RECORD

*[Signature]*  
Secretary to the Council

*[Signature]* 13, 1996  
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE \_\_\_\_\_

VOICE VOTE  
RECORDED VOTE ON REQUEST

ABSENT \_\_\_\_\_

ROLL CALL VOTE - Result \_\_\_\_\_

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date